

# FOR DISCUSSION PURPOSES ONLY

## § 67384.3 Definitions

The following definitions shall apply to the terms used in this chapter:

"Business" means an employer, self-employed individual, trust, firm, joint stock company, corporation, partnership, or association. For purposes of this chapter, "business" includes a business organized for profit and a nonprofit business. (HSC 25501)

"Combustion residual" means the ash and other physical material that remains after the complete combustion of pyrotechnic material in air.

"Consumer commodity" means a material that is packaged and distributed in a form intended or suitable for sale through retail sales agencies or instrumentalities for consumption by individuals for purposes of personal care or household use. (49 CFR 171.8)

"Consumer fireworks" means any small firework device designed to produce visible effects by combustion and which must comply with the construction, chemical composition, and labeling regulations of the U.S. Consumer Product Safety Commission, as set forth in title 16, Code of Federal Regulations, parts 1500 and 1507. Some small devices designed to produce audible effects are included, such as whistling devices, ground devices containing 50 mg or less of explosive materials, and aerial devices containing 130 mg or less of explosive materials. Consumer fireworks are classified as fireworks UN0336, and UN0337 by the U.S. Department of Transportation (DOT) at 49 CFR 172.101. This term does not include fused, set pieces containing components which together exceed 50 mg of salute powder. (27 CFR 55.11)

"Consumer good" means a product or commodity used by a business that is packaged in a form similar to a consumer commodity.

"Contaminated media" means soil, sediment, surface water, groundwater contaminated with perchlorate.

"CUPA" means the Certified Unified Program Agency

"Display fireworks" means large fireworks designed primarily to produce visible or audible effects by combustion, deflagration, or detonation. This term includes, but is not limited to, salutes containing more than 2 grains (130 mg) of explosive materials, aerial shells containing more than 40 grams of pyrotechnic compositions, and other display pieces which exceed the limits of explosive materials for classification as "consumer fireworks". Display fireworks are classified as UN0333, UN0334 or UN0335 by the U.S. Department of Transportation (DOT) at 49 CFR 172.101. This term also include fused, set

pieces containing components which together exceed 50 mg of salute powder. (27 CFR 55.11)

“Fallout area” means the area in which debris falls after a pyrotechnic device is fired. (NFPA)

“Household” means a private residence. For the purpose of this section, household does not mean a hotel, motel, bunkhouse, ranger station, crew quarters, campground, picnic ground, or day-use recreation facility.

“Household waste” means any materials, including garbage or trash that is generated by residents through the use of a consumer commodity in a household.

“Managing perchlorate materials” means generation, storage, transportation, manufacture, processing, fabrication, packaging, use, reuse, treatment, transfer, pumping, recovery, recycling, spill response, disposal, and discharge. (HSC 25210.5)

“Perchlorate material” as defined in Health and Safety Code 25210.5 means all perchlorate-containing materials including perchloric acid and perchlorate compounds. “Perchlorate material” includes all forms of matter, goods, and products and shall not be limited by other statutory or regulatory definitions of “material”.

“Packaging” means a receptacle and any other components or materials necessary for the receptacle to perform its containment function in conformance with the minimum packing requirements of this chapter. (IATA, DOT)

“Pharmaceutical” means a prescription or over-the-counter human or veterinary drug, including, but not limited to, a drug as defined in Section 109925 or the Federal Food, Drug, and Cosmetic Act, as amended, (21 U.S.C.A. Sec. 321(g)(1)). (HSC §117747(a))

“Water-resistant packaging” means packaging that when closed is impervious to water in the form of rain, spray, and resultant run off.